

Remarks

The amendments are submitted to correct various informalities, to claim embodiments of the invention, and to recite the degree of chiral purity at the phosphorous site.

In the parent case to USSN 10/354,207 (USSN 09/909,560, or "560") a formalities objection was raised to the embedded figures. These figures now have been moved in the instant application to the proper locations and a "Brief Description of Drawings" section introduced using language directly from this application as filed.

Several structural depictions of the background portion of the compounds herein, i.e., in the parental drug structures, were in error. The errors corrected are as follows:

(1). On page 4, lines 26-34, and page 20, line 17, all of the structures given for E are missing the group CH_2O to the left of each structure, e.g., for the first one given as $-(\text{CH}_2)_2-$, the structure should be $-\text{CH}_2\text{O}(\text{CH}_2)_2-$. The same omission is found in the claims.

(2). On page 7, line 29, the structure " $\text{A-OH}_2\text{P}(\text{O})(\text{OH}_2)$ " is a typographical error for $\text{A-OCH}_2\text{P}(\text{O})(\text{OH}_2)$.

These errors occur in the part of the compounds which is derived from prior art, known compounds. For example, specification page 1, lines 16-18, recites by way of background that

"Many methoxyphosphonate nucleotide analogues are known. In general, such compounds have the structure $\text{A-OCH}_2\text{P}(\text{O})(\text{OR})_2$ where A is the residue of a nucleoside analogue and R independently is hydrogen...."

In addition, the specification refers to a large number of references containing disclosures of these prior art compounds (see at least specification page 1, line 19 and page 8, lines 5-8). All of these references have E group equivalents with a methoxy linker to the phosphorous atom. Each and every one of these parent drug prior art compounds are *methoxyphosphonate* compounds. It also should be noted that the term "methoxyphosphonate" is recited numerous times in the specification.

Finally, none of the specific embodiments involve any linkage other than methoxy. Thus, it is apparent that the recitation on page 7 of the structure "A-OH₂P(O)(OH)₂" is missing a carbon atom by way of typographical error.

While it would be possible to correct this error by adding the methoxy group to the individual E groups, Applicants have elected the more direct alternative of adding the missing methoxy group to structures (3), (4) and the structure at the bottom of page 7, as well as comparable structures in the claims. This amendment adds no new matter.

An Information Disclosure Statement is submitted herewith. This IDS is the same one reviewed and initialed by Examiner Leary in the '207 parent.

This application is now believed to be in condition for allowance. Applicants would be grateful for an early Notice of Allowance.

Respectfully Submitted,



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Attachments: IDS
 Substitute Specification